



Summer 2009

### Calendar:

- **NCBA Annual Mtg**  
June 27-29
- **Pro Bono Celebration**  
August
- **New Attorney**  
Swearing-In Sept.

# Bar Briefs

## President's Perspective



*"If you can keep your head while all those about you are losing theirs and blaming it on you, If you can trust yourself when all men doubt you, but make allowance for their doubting too...;"* so begins a poem by Rudyard Kipling.

In this time of economic downturns and layoffs, dropping real estate values and bottoming out

investment portfolios, it is imperative that we, as attorneys, "keep our heads" while it seems that all those about us are losing theirs. As members of the legal profession, we are positioned to be there for the support and guidance of our clients and our communities in ways that we have never been called upon before.

The opportunity to be of service to our communities and to be sure that our clients are fully represented and that justice is being served on their behalf is more important today than at any other time. Our local bar members are seen serving on boards and as local, state and national elected government leaders, volunteering in their

churches as well as non-profit organizations. It seems that the 28<sup>th</sup> Judicial District Bar cultivates "servant leaders."

It is our hope, as your elected 28<sup>th</sup> Judicial District Bar Executive Committee members, with the able assistance of our Bar Administrator, Lisa Gaye Hall, to offer you up-to-date communications and to keep you informed and abreast of the issues and events that affect our legal community. In addition, it is our goal to provide you with the assurance that your bar dues are being spent in the most efficient and beneficial way possible. I look forward to serving you this year as Bar President.

**Heidi Stewart**

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## Annual meeting approves four new leaders for 28th JDB

A record turnout of attorneys at the June 10 annual meeting approved four new Executive Committee members for 2009-2010. Courtney Booth of the Buncombe County Public Defender's Office, private practitioner Jason Gast, Tikun Gottschalk of Robert Deutsch & Associates, and private practitioner Alan Coxie joined the 28th's Executive Committee

as members at large.

Annual meeting attendees also approved the nomination of LeAnn Melton for Buncombe County Public Defender, and that nomination has been submitted to Senior Resident Superior Court Judge Dennis Winner for action.

In addition, awards were given to Judge Gary S. Cash and attorney Robert Deutsch. For more on

the Executive Committee members and awards given at the annual meeting, see page 2.



Annual Meeting participants on June 10.



District Court Judge Gary S. Cash accepting the 28th's Professionalism Award at the June 20 annual meeting.

*"...those virtues come easy to Gary Cash, and he is truly a caring and compassionate person..."*



Robert Deutsch accepting the 2009 North Carolina Bar Association Centennial Award.

## Judge Gary S. Cash receives 28th's Professionalism Award

Judge Gary S. Cash, winner of the 2009 Professionalism Award, received an engraved glass award and a standing ovation at the June 10 annual meeting of the 28th JDB.

In his introduction, Bill Whalen said, "Everyone who knows him, knows that Gary Cash is not only an outstanding Judge, but also that he is, fundamentally, an incredibly patient and compassionate person who, in all his endeavors, is respectful, considerate, kind, and fair to all."

The 28th JDB Professionalism Award was established by President Roger Smith in 2004 to

annually recognize an individual member of our Bar whose consistently courteous, respectful, and professional conduct toward the Court, attorneys, clients, and other parties exemplifies the highest standards of professionalism.

Former winners of the award include Sara Davis, Bill Anderson, Bill Slawter and Bill Parker.

Among his accomplishments Judge Cash counts helping to create the Family Court system for NC; serving as President of the Conference of Chief District Court Judges; serving as President of the N.C. Association of District

Court Judges; and working as a Director of the N.C. Joint Judicial Conference.

In July, he will receive the Outstanding Trial Judge Award from the NC Advocates for Justice.

"I've often marveled at the ease with which he stays true to those virtues. But over the years, I've come to realize that those virtues come naturally to Gary Cash, and that he is truly a caring and compassionate person who lives his life treating all with integrity, dignity and respect," said Bill Whalen.

## Bob Deutsch honored as Centennial Award recipient

Lauded as "an inspiration," attorney Bob Deutsch was given the 2009 Centennial Award by the 28th JDB and the North Carolina Bar Association on June 10.

While introducing the winner, Jones Byrd said, "His heart, openness and genuine interest in others play a great role in what he's been able to accomplish in his legal work and in the community."

The Centennial Award provides an opportunity for local bars to partner with the NCBA to honor individual members of their bar annually for community service efforts. Examples of such service include: elected and/or appointed service to local government; civic involvement on boards of community agencies; involvement

in public service projects; and volunteer involvement with schools, churches, or other non-profit organizations. The award is named in honor of the Bar Association's Centennial (1899-1999).

Bob Deutsch served as a volunteer President of the 28th JDB in 2005-2006, and is currently a member of the Board of Trustees for Warren Wilson College and the chair of the Mountain Green Sustainability Conference Steering Committee. He is also a member of the Board of Directors for the Asheville Art Museum, and has served as chair of the United Jewish Appeal and the President of the Congregation Beth Israel. He is a frequent contributor to many local non-profit organizations.

Deutsch is a private practice lawyer who was admitted to the North Carolina Bar in 1973. He holds a J.D. from Harvard University.

Jones Byrd said that Bob Deutsch is one of his most devoted and cherished friends. "His consideration for his friends is expressed when it's least expected. He's got a long memory about what folks need, and comes up with ways to meet those needs without fanfare. He's engaged in anything he touches, for the better, and encourages others to do the same. When they cannot or do not, he's not judgmental, but accepting, and then looks for the next opportunity to involve them in good works, as well as fun.

**Seeking associate**

John C. Hensley, Jr., P.C., is seeking an associate to join our busy litigation team. Courtroom and deposition experience is required. Experience in medical malpractice, personal injury, and workers' compensation is a plus. Please submit letter of interest and resume to: John C. Hensley, Jr., 366 Merri-  
mon Avenue, Asheville, North Carolina 28801.



*Outgoing Bar President Patsy Brison hands gavel to incoming President Heidi Stewart at the June 10 Annual Meeting. Past President Calvin Hill looks on. Six past Presidents were at the annual meeting, and were asked to rise while the transfer of power took place. Patsy Brison received a certificate of appreciation and applause for her dedication to the Bar Presidency in 2008-2009.*



*Tradition dictates that all past presidents of the 28th Judicial District Bar stand while the transfer of power takes place.*

**Landlord-Tenant Seminar set for July 21**

Attorneys Douglas J. Tate and Hayley Roper, of McGuire, Wood & Bisette, P.A., will serve as key speakers at a July conference on landlord-tenant law. The daylong event, organized by Sterling Education Services, Inc., will be held on July 21, 2009 at the Doubletree Hotel Biltmore at 115 Hendersonville Road.

Tate will focus on collections

and ethics, whereas Roper will cover landlord liabilities for problems and tenant expulsion. Other specifics to be covered will include writing leases that prevent problems and landlord-tenant mediation/dispute resolution.

Tate specializes in working with commercial and real estate clients, offering vast expertise in negotia-

tion and litigation, debt collection, summary eviction, foreclosure, and bankruptcy representation. Tate has been honored as a national member by The Order of Barristers and received the John B. Adams Award from the University of North Carolina at Chapel Hill School of Journalism. Roper advises individual and corporate clients in landlord-tenant and employment matters, implementing personnel policies and procedures, and general litigation.

**Join in August celebration at JCC**

On August 15, 2009 at the Jewish Community Center Gala, Robert and Carol Deutsch will be honored with the JCC's Bi-Annual Outstanding Service Award for their lifetime of exemplary service, leadership, and philanthropic support of the JCC. Bob is a member of the 28th Judicial District Bar and its 2005-06 Past President.

Accordingly, the JCC wants to reach out to members of the Bar

who may want to join the JCC in honoring Bob. If you are interested in sponsoring this event or placing a congratulatory message in the tribute book, then please contact Rochelle Reich at 253-0701 or [Rochelle@jcc-asheville.org](mailto:Rochelle@jcc-asheville.org) by July 15<sup>th</sup>. She can also assist you with purchasing tickets, should you wish to join in this celebration. More information about the event is available on the website [www.jcc-asheville.org](http://www.jcc-asheville.org).

- 2009-2010 Executive Committee**  
*President:* Heidi Stewart  
*President Elect:* William Christy  
*Immediate Past Pres:* Patsy Brison  
*Vice President:* Doug Tate  
*Treasurer:* Suzannah Plemmons  
*Secretary:* Mae Creadick  
*State Bar Councilor:* Howard Gum  
*Pro Bono Chair:* James Ellis  
*At-Large Members:* Michael Drye, Courtney Booth, Peter Kanipe, Jason Peltz, Tikkun Gottschalk, Cynthia Harbin Holman, Ingrid Friesen, Alan Coxie, Jason Gast



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## Briefly... from the Bar Administrator

Greetings from the Bar office at 64 Broadway! From my office window, I can see the home of Thomas Wolfe, native son of Asheville. I can also see construction of a beautiful new high-rise condominium. It's a typical juxtaposition in our lovely mountain town, and one that serves as a good comparison to the 28th Judicial District Bar. Many of you carry Blackberrys and I-Phones, and equally as many don't know a twitter from a tweet. My job is to serve you all with the best technology we can afford, and I look forward to the challenge.

My background encompasses journalism, educational advocacy, non-profit management, and student services. In every post I've held in the past 20 years, technology has been a friend and a foe. I've accepted the fact that I have to tinker with hardware, software and the perennial question: "why isn't this working?" If you have a problem with our website, please call me and we can solve that problem together!

So far, in the three months I've worked as the Bar Administrator, I've been given a true Southern welcome. I look forward to meeting many more of you in the months to come.

*Lisa-Gaye Hall*



### Hotline Training

Pisgah Legal Services and MAVL announce the 2009 Hotline CLE Training, being held at Pisgah on Friday July 17, from 8:30am to 3pm. Help people meet basic needs with quick advice in this time of economic difficulty. Get lunch and five hours of CLE free if you join our Hotline Panel and volunteer once a month. Be trained to address these issues: debt litigation and consumer defense, our fastest growing sectors; housing, benefits, and family law/domestic violence. Register with Jennifer Foster at 210-3440 or [jennifer@pisgahlegal.org](mailto:jennifer@pisgahlegal.org)



*Hotline Volunteers have fun!*

### Apply for Criminal Justice Panel

A newly implemented Criminal Justice Act Plan for the U.S. District Court for the Western District of North Carolina requires attorneys, whether presently on the C.J.A. Panel or interested in becoming a member of the panel, to submit an application to the selection committee for consideration. The application can be obtained from either the court website ([www.ncwd.uscourts.gov](http://www.ncwd.uscourts.gov)) under Forms, Criminal or from the website of Federal Defenders of Western North Carolina. (<http://ncw.fd.org>)

The completed applications are due on or before June 30, 2009. If you have any questions contact Kathy Phillips at 232-9992 or [Kathyn\\_Phillips@fd.org](mailto:Kathyn_Phillips@fd.org)